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JUL 24 2008	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

DIANE J. HUMETEWA  
United States Attorney  
District of Arizona

JOSH PATRICK PARECKI  
Assistant United States Attorney  
Two Renaissance Square  
40 N. Central Ave., Ste. 1200  
Phoenix, Arizona 85004-4408  
Arizona Bar No. 023750  
josh.parecki@usdoj.gov  
Telephone: (602) 514-7500

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Logan William Davis,

Defendant.

No. CR  
Mag. No. 08-0282

STIPULATION AND JOINT  
MOTION FOR RELEASE OF  
MATERIAL WITNESS

The United States of America, through undersigned counsel, and the defendant, individually and through counsel, do hereby agree and stipulate as follows:

- (1) Material witness Venancio de Jesus-Catarino is not a citizen of the United States;
- (2) Material witness Venancio de Jesus-Catarino entered the United States illegally on or about July 9, 2008;
- (3) Material witness Venancio de Jesus-Catarino was found in the vehicle driven by the defendant, Logan William Davis;
- (4) The government may elicit hearsay testimony from the arresting agents regarding any statements made by the above-referenced material witness contained in the disclosure, and such testimony shall be


1 admitted as substantive evidence in any hearing or trial in the above-  
2 encaptioned matter.

3 The parties further agree that the waiver and stipulation are not contingent on the  
4 Magistrate Judge's acceptance of the offered plea agreement.

5 Based on the foregoing, the parties jointly move for the release of the above-named  
6 material witness to the Department of Homeland Security for return to his country of origin.

7 DIANE J. HUMETEWA  
8 United States Attorney  
9 District of Arizona

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11 JOSH PATRICK PARECKI  
12 Assistant U.S. Attorney

13   
14 Logan William Davis  
15 Defendant

16   
17 Robert Truman Hungerford  
18 Attorney for Defendant